

REMARKS

Responsive to the Office Action mailed March 6, 2008, Applicants provide the following. The claims have been amended without adding new matter. Specifically, claims 22-24, 28-29, 31, 33-34, 37, 41 and 44 have been amended. Claim 48 has been added without adding new matter. Claims 1-20 and 35 were previously cancelled and claim 30 is currently being cancelled. Therefore, Twenty-six (26) claims remain pending in the application: Claims 21-29, 31-34 and 36-48. Reconsideration of claims 21-29, 31-34 and 36-47 in view of the amendments above and remarks below and consideration of new claim 48 is respectfully requested.

Initially, Applicants acknowledge with appreciation the Examiner's and the Supervising Examiner's willingness to take part in the telephonic interview on September 3, 2008.

By way of this amendment, Applicants have made a diligent effort to place the claims in condition for allowance. However, should there remain any outstanding issues that require adverse action, it is respectfully requested that the Examiner telephone the undersigned at (858) 552-1311 so that such issues may be resolved as expeditiously as possible.

Applicants have amended claims 22-24, 28-29, 31, 33-34, 37, 41 and 44. Support for these amendments can be found throughout the application as filed. For example, support for the amendments: to claims 22, 24 and 33 can be found at least at page 17, lines 16-32; to claim 23 can be found at least at page 19, lines 14-20; to claims 28, 31 and 34 can be found at least with respect to FIG. 2 and the description of FIG. 2 including page 16, line 31 – page 18, line 25; and to claim 29 can be found at least at page 17, lines 1-14. Therefore, the application as filed provides support for the amendments to the claims.

Summary of Applicant Initiated Examiner Interview

1. Per 37 CFR § 133(b), the following is a brief summary of the Examiner interview conducted September 3, 2008 via telephone between Steven M. Freeland, Attorney of Record, and Examiner Sahar A. Baig and Supervisory Patent Examiner Christopher S. Kelley. Claim 21 was discussed and the cited U.S. Patent No. 4,977,964 to Williams et al. Applicants'

representative requested some clarification regarding where the Williams patent supported the limitations as recited in claim 21.

Examiner Kelley suggested that it did not appear the Williams patent described at least bookmarking as recited in claim 21. Based this analysis Examiners Baig and Kelley requested that a response be submitted identifying those limitations that Applicant believed the Williams patent did not describe and would act upon the response accordingly.

No other claims and no other references were discussed.

Claim Rejections - 35 U.S.C. § 102

2. Claims 21-34 and 36-47 stand rejected under 35 U.S.C. § 102(e), as being anticipated by U.S. Patent No. 5,977,964 (Williams et al.). Applicants respectfully traverse these rejections in that the Williams patent does not teach each limitation as recited in at least independent claims 21, 31, 37 and 45.

2A. Regarding claim 21, Applicants respectfully submit that the Williams patent does not expressly or inherently describe at least a keyword and a first code as recited in claim 21. More specifically, claim 21 recites in part:

receiving a keyword and a first code associated with the video image over a second communication channel, wherein the first code is preassociated with preselected information relating to the keyword prior to receiving the keyword
...
bookmarking the keyword;
requesting a searching of a network for information relating to the keyword;
and
receiving the information including the preselected information relating to the keyword.

There is no description or suggestion in the Williams patent of a least bookmarking the keyword, a keyword and a first code as recited in claim 21. The office action in rejecting claim 21 cites to Fig. 1 and column 4, lines 14-44, and Figs. 3 and 4 and column 11, line 22 – column 12, line 7 of Williams. However, there is no mention or suggestion of at least bookmarking, a keyword or a first code in column 4. Similarly, column 11, line 22 – column 12, line 7 does not suggest bookmarking, and only describes using keywords to search information in attempts to identify

programming information that might be of interest to a user. Nowhere is there a discussion or suggestion of at least bookmarking, a code or a code that is “preassociated with preselected information relating to the keyword prior to receiving the keyword” as recited in claim 1.

Applicants further respectfully submit that the Williams patent does not suggest at least receiving “information including the preselected information” as recited in claim 21. Again, Williams does not describe a code, and further does not describe or suggest information that is preassociated with preselected information. Additionally, column 11, lines 30-60 simply describe utilizing a keyword to search for content that might match the keyword. There is no discussion or suggestion of a code associated with a keyword or that content is preassociated with preselected information that is returned in response to the search based at least on the keyword. Therefore, the Williams patent does not expressly or inherently teach each limitation as recited in claim 21, and thus, Applicants respectfully submit that the office action fails to establish a *prima facie* case of anticipation.

2B. Regarding at least claim 31, the Williams patent further does not teach or suggest at least “embedding ... the keyword in the video image” as recited in claim 31. There is no discussion or suggestion in Williams of at least embedding the keyword in the video image. Instead, Williams only describes searching for content based on already known keywords, and once content is identified providing a listing to the user of the content found. Specifically, the Williams patent recites:

System controller 104 first accesses a program database searching for keywords ... step 400 ... system controller 104 accesses a program database, such as program database 900, and searches through the available program information for keywords that match ... Having developed a list of programming suggestions ... system controller 104 prompts the system user, in an interactive pop-up window, with the list of programming suggestions, step 402. The user may select one of the suggested programming options ... step 404 ... to allow the user to view the chosen program ...step 406 (Williams, col. 11, lines 30-60).

There is no discussion or suggestion of at least embedding the keyword in the video image. Instead, the keyword is simply used to search a program database, not the programs or a video

image. The search attempts to identify programming information, related to programs that might be of interest to the user. Once a listing of programming information is identified the listing is displayed to the user, not the keyword, not a program and not a video image. Further, Williams describes upon receiving a selection from a user of one of the identified potential programs, the selected program is accessed and displayed without the keyword. There is no discussion or suggestion that the keyword is embedded in the video image, or that the keyword is displayed associated with the video image. Therefore, the Williams patent does not expressly or inherently describe each limitation as recited in claim 31, and thus, a *prima facie* case of anticipation has not be established.

Further, claim 31 recites in part “displaying a video image, from a local storage medium ... receiving ... keywords comprising a unique identifier of the storage medium.” Applicants respectfully submit that there is no discussion or suggestion in the Williams patent regarding at least a keyword comprising a unique identifier of the storage medium. The office action fails to identify where or how the Williams patent expressly or inherently describes a keyword comprising a unique identifier of the storage medium. Therefore, Applicants respectfully submit that a *prima facie* case of anticipation has not been established, and claim 31 is patentable over the Williams patent.

Still further, Applicants respectfully traverse the assertion in the office action on page 4 that Williams “inherently” suggests the limitations as recited in claim 31. As demonstrated above, the Williams patent does not describe at least embedding the keyword in the video image. Still further, any video content obtained according to the search as described in columns 11-12 is only accessed after a search is performed and after the user makes the selection from a listing. There is no discussion or suggestion of embedding the keyword in the video image, and it is not inherent to the Williams patent that the keyword be embedded in the video image. Therefore, the keyword is not, and it is not inherent that the keyword be, embedded in a video image as recited in at least claim 31.

Therefore, a *prima facie* case of anticipation has not been established and claim 31 is patentable over the Williams patent.

Applicants respectfully submit that the amendments made to claim 31 were incorporated to clarify the claim and were not made to overcome the rejection of Claim 31. As demonstrated above, claim 31 is patentable over the Williams patent regardless of the amendments.

2C. Claim 37 is also not anticipated by the Williams patent in that the Williams patent fails to expressly or inherently teach each limitation as recited in at least claim 37. For example, claim 37 recites “receiving a keyword and a first code over a second communication channel, wherein the first code is preassociated with preselected information specific to the keyword prior to receiving the keyword.” As demonstrated above, with respect to at least claim 21, the Williams patent does not expressly or inherently teach or suggest at least a keyword, or a first code that “is preassociated with preselected information specific to the keyword prior to receiving the keyword” as recited in claim 37. Therefore, claim 37 is patentable over the Williams patent in that the Williams patent.

2D. Applicants further respectfully submit that claim 45 is also patentable over the applied Williams patent in that the Williams patent does not expressly or inherently teach each limitation as recited in claim 45. For example, claim 45 recites in part:

keyword comprises a first code, wherein the first code is preassociated with preselected information relating to the keyword prior to receiving the keyword; receiving a second code relating to the keyword ... initiating a search ... logging the search; and initiating a subsequent search based on the logged search.

As demonstrated above, at least with respect to claim 21, the Williams patent does not teach at least a keyword comprising a code, or a first code preassociated with preselected information. Similarly, Applicants respectfully submit that the Williams patent does not describe, and the office fails to demonstrate where the Williams patent describes, at least a second code. Still further, there is no discussion or suggestion of logging a search, or initiating a subsequent search based on the logged search.

The office action in rejecting claim 45 states that claim 45 is “also rejected for the reasons given in the scope of claims 21-30 as disclosed above...” (office action, page 5).

However, claims 21-30 do not recite logging a search or initiating a search based on the logged search. Further, the office action fails to demonstrate where the Williams patent describes at least logging a search or initiating a search based on the logged search. Applicants respectfully submit that the Williams patent does not teach or suggest at least logging a search or initiating a search based on the logged search. Therefore, the Williams patent does not teach each limitation as recited in claim 45, and thus, Applicants respectfully submit that a *prima facie* case of anticipation has not been established.

Further, Applicants respectfully traverse the assertion that the Williams patent “inherently” describes or suggests the limitations of claim 45, and further traverse the assertion that the Williams patent “inherently” describes or suggests the limitations as recited in claims 37-44 and 45-47. No support for the “inherent” assertion is provided and Applicants have demonstrated above that the Williams patent does not teach many limitations of the pending claims.

2E. Claims 22-29 depend from claim 21, claims 32-34 and 36 depend from claim 30, claims 38-44 depend from claim 37, and claims 46-47 depend from claim 45. Therefore, Applicants respectfully submit that claims 22-29, 32-34, 36, 38-44 and 46-47 are also patentable over the Williams patent due at least to their dependency on allowable claims 21, 31, 37 and 45.

New Claims

3. Newly submitted claim 48 is believed to be allowable because it is directed to that which is not shown or suggested in the prior art. Support for new claim 48 can be found at least with respect to FIG. 2 and the description of FIG. 2 including page 16, line 31 – page 18, line 25. The Williams patent does not teach or suggest at least searching after the receiving the content comprising the video image. Therefore, claim 48 is also patentable over the Williams patent.

CONCLUSION

Applicants respectfully submit that the above amendments and remarks place the pending claims in a condition for allowance. Therefore, a Notice of Allowance is respectfully requested.

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Respectfully submitted,

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